

Commissioner for Patents
Serial No.: 10/629,880
Response Date February 29, 2008
Reply to Advisory Action dated January 30, 2008
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REMARKS

I. STATUS OF THE APPLICATION

Claims 1-10, 12 and 13 were pending in the Application. In the Advisory Action, the Examiner:

- (a) rejected claims 1 and 12 as containing open-ended language; and
- (b) rejected Applicant's argument regarding the lack of citing the reference 6,607,745 during the prosecution of the Pierce patent.

In this response, Applicant respectfully submits the following comments and amendments to claims 1, 2, 12, and 13. Applicant respectfully submits that the following amendments and remarks herein place the remaining claims within the Application in a condition for allowance.

II. ACKNOWLEDGEMENT OF TELECONFERENCE WITH THE EXAMINER

Applicant would like to thank Examiner Woodward for his time on February 28, 2008, to discuss the claims of the Application. Applicant hereby amends claims 1 and 13 and cancels claim 12 as discussed during that teleconference, and also cancels claim 2.

III. NO NEW MATTER IS INTRODUCED BY WAY OF AMENDMENT

Applicant respectfully submits that no new matter has been added by amending claims 1, 2, 12, and 13. Specifically, the amendment to claim 1 changes the "open-ended" language to "closed-ended" language consistent with the Examiner's comments in the Advisory Action and during the teleconference of February 28, 2008. Claim 2 has been cancelled by Applicant as a result of amending claim 1. Claim 12 has been cancelled by Applicant to facilitate allowance of

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the present Application. Claim 13 has been amended to now depend from claim 1. Applicant respectfully submits that the amendments are supported by the originally filed Application and do not add new matter. Accordingly, Applicant respectfully requests that the amendments be entered so that the Application may proceed to allowance.

IV. PETITION FOR AN EXTENSION OF TIME

Applicant respectfully submits the present Amendment After Final within one-month of the date of mailing of the Advisory Action. As such, and in accordance with the calculations provided within MPEP § 706.07(f), as the Advisory Action was mailed after the end of the shortened statutory period of three-months after the date of mailing the final office action, the extension of time fee is calculated from the mailing date of the Advisory Action. Accordingly, Applicant hereby petitions for a one-month extension of time for the submission of the present Amendment After Final, and submits payment in the amount of \$60.00 under 37 C.F.R. § 1.17(a)(1) along with the electronic submission of the present Amendment After Final.

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CONCLUSION

For all the foregoing reasons, it is respectfully submitted that the Applicant has made a patentable contribution to the art and that this Amendment After Final places the Application in condition for allowance. Accordingly, favorable reconsideration and allowance of this Application is respectfully requested. In the event the Applicant has inadvertently overlooked the need for an additional payment of a fee or extension of time, the Applicant conditionally petitions therefor, and authorize any fee deficiency to be charged to deposit account 09-0007. When doing so, please reference the above-listed docket number.

Respectfully submitted,

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